

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

VERA BRADLEY DESIGNS, INC.,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO. 1:09-CV-263
)	
DOGMATIC, INC.,)	
)	
Defendant.)	

OPINION AND ORDER

Plaintiff Vera Bradley Designs, Inc., filed its Complaint in this Court on September 18, 2009, alleging that the Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (Docket # 1.) The Complaint alleges that “[u]pon information and belief, Defendant Dogmatic, Inc. . . . is a corporation, organized and existing under the laws of the State of Nevada and has its principal place of business [in New York].” (Compl. ¶ 3.)

Plaintiff’s Complaint is inadequate. “Allegations of federal subject matter jurisdiction may not be made on the basis of information and belief, only personal knowledge.” *Yount v. Shashek*, 472 F. Supp. 2d 1055, 1057 n.1 (S.D. Ill. 2006) (citing *Am.’s Best Inns*, 980 F.2d at 1074); *Ferolie Corp. v. Advantage Sales & Mktg., LLC*, No. 04 C 5425, 2004 WL 2433114, at *1 (N.D. Ill. Oct. 28, 2004); *Hayes v. Bass Pro Outdoor World, LLC*, No. 02 C 9106, 2003 WL 187411, at *2 (N.D. Ill. Jan. 21, 2003); *Multi-M Int’l, Inc. v. Paige Med. Supply Co.*, 142 F.R.D. 150, 152 (N.D. Ill. 1992). Consequently, Plaintiff must amend its Complaint with respect to Defendant’s citizenship.

Therefore, Plaintiff is ORDERED to file an Amended Complaint forthwith that

adequately articulates upon personal knowledge the citizenship of Defendant Dogmatic, Inc.¹

SO ORDERED.

Enter for this 21st day of September, 2009.

/S/ Roger B. Cosbey
Roger B. Cosbey,
United States Magistrate Judge

¹ Plaintiff's Complaint also states that "Vera Bradley is a company organized and existing under the laws of the State of Indiana and has its principle [sic] place of business at 2208 Production Road, Fort Wayne, Indiana, 46808." (Compl. ¶ 1.) Plaintiff's Amended Complaint should reflect that it is an Indiana corporation with its principal place of business in Indiana.